

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
) No 18 CR 734
vs.) Hon. Matthew F. Kennelly
)
)
TERRY FERGUSON)

AFFIDAVIT OF Trace FERGUSON

I, Trace Ferguson, hereby swear and affirm that the following facts are true and accurate the best of my recollection.

Terry Ferguson is my father. I love him. I missed every day he was in jail. I used to meet with and talk to his lawyer all the time while he was in custody. We were working together fighting for my dad. I needed him out. He is the rock of this family. We are nothing without him. The connections are not there. The unity is not there. This is a man who puts family above all things. Being a great dad is his priority. No matter how old I get, that's always the same. He wants to show that he loves us. He wants to be there with us for every big event we have. He wants to be at the sporting events. He wants to arrange the father/son trips to fish for sharks. He is the center for every one of us. And we are all afraid right now.

I was right next to my mother when the agents told her she was not allowed to leave the house. I was there when they told her to sign documents that she never read. I was with her while she was shaking and afraid of these people who were searching our house without a warrant. I saw what that did to her. It destroyed her. She is still afraid to this day. She is always waiting for Labno to come back. She is always looking over her shoulder. She is not the same person. I do not think she ever will be. And the harm that does to my father is incredible. I have seen it develop and evolve since his arrest. I planned to come to court to testify about what I have seen. I was supposed to explain

what this has done to my dad and my family, how it has hurt him, how it has changed him. I was ready to do it. I have been waiting to do it. I agreed to be put on the witness list for the purpose of doing it. But, when I agreed, we all thought Agent Labno was out of the picture. I have seen him in action. He does what he wants. If he is coming around to talk to witnesses, that signals to me that there is a threat. We know what he did in this case. We know what was filed about him in this case. So I was sure, and I was assured, that he was not going to be approaching us. That this did not make sense as something that could happen.

But then he went to my brothers job without notice.

This was after Tim told them how harmful going to his job would be. He went there to supposedly interview Tim about what he was going to say about Labno and the other agent in this case. Labno also went to John Deir's house.

He was in a car when they stopped Debbie at the school.

So he is still in the picture. He is still fully empowered on this case. No one is exercising judgment over what he does. If they were, he would not have been there. It's like the courts cannot do anything about him. We file motions.

We make arguments. We try everything to get people to see what he does and he's still free to do what he wants to us. Being on that witness list puts the crosshairs on us. I know that now. The Court could not compel the government to stop him even though the judge said it was a terribly stupid idea to have him doing this. And so the risk that he retaliates if I testify is huge. There I no check on him. There is nothing to prevent it. There is no one that will stop it. It will be whatever Labno wants it to be. And I cannot subject myself to that risk. My mom does not want me to. My father even agrees with her concerns.

There is real danger for me here if I take the stand. It is not right. But is also true. I am pursung law school. The damage he could do to my future is enormous. I cannot afford to risk what happens after the testimony is over and court no longer in session. Because I know that no one will curb what this agent is allowed to do. That retaliation is far too real of a threat. I have seen it happen to my dad and to John and to Tim. There is no reason it would not happen to me. That's why I am refusing to testify at the hearing.

Affirmed,

Signed and

Trace Ferguson